



Crl.OP.No.10916 of 2023

Crl.O.P.No.10916 of 2023

WEB COPY

K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 448 and 506 (1) of IPC in Crime No.121 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 08.04.2023 at about 3.45 p.m, the petitioner went to the defacto complainant's house and asked about the defacto complainant's husband Dr.Kamalakannan, who had done port-mortem and given port mortem certificate of the deceased brother of the petitioner, wherein it has been mentioned that the petitioner's brother was died in a road accident due to consumption of alcohol. Therefore, she came to meet the doctor with a request to issue a post mortem certificate as if the petitioner's brother did not consume any alcohol. Hence, the complaint.



Crl.OP.No.10916 of 2023

WEB COPY

3. The learned counsel for the petitioner would submit that she is an innocent person and she has been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that there is no previous case pending against this petitioner. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the nature of allegation made against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a



Crl.OP.No.10916 of 2023

WEB COPY

period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Polur, Thiruvannamalai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper the evidence or witness



Crl.OP.No.10916 of 2023

either during investigation or trial.

WEB COPY

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

17.05.2023

rka/dna



WEB COPY



Crl.OP.No.10916 of 2023

K.KUMARESH BABU.,J
rka/dna

Crl.O.P.No.10916 of 2023

17.05.2023